

Michele Tizzano
44 Sintsink Dr. East Apt E
Port Washington NY 11050

Case number: 2:18-cv-04558-DG-AYS

☆FILED☆

2021 FEB 19 AM 10:23

CLERK
U.S. DISTRICT COURT
E.D.N.Y.

RECEIVED

FEB 22 2021

EDNY PRO SE OFFICE

New York February 18, 2021

| | |
|------------------------|--------------------|
| Matthew John Farnworth | Danielle E. Mietus |
| Michael J. Borrelli | David M. Zimmerman |
| Alexander Todd Coleman | David R. Contino |
| Michael R. Minkoff | Shani J. Walker |
| Caitilin Duffy | Frank J Tantone |
| Timothy M. Gallagher | |

OF

Borrelli & Associates P.L.L.C.
910 Franklin Ave #200
Garden City, NY 11530

Case referred as: Barrera v. Pepe Rosso 24 Inc.

Judge,

I Michele Tizzano, resident in Port Washington at 44 Sintsink Dr East apt E, NY 11050 would like to communicate that it is my intention to proceed Pro Se in relation to the allegations brought up against me in reference to the above mentioned case.

The case involves me personally, Pepe Rosso 24 Inc, Rosso Uptown LTD and Mr. Massimo Gammella.

I am an officer of the Pepe Rosso 24 Inc.

I was never an officer or an employee of Rosso Uptown LTD. Records show that Rosso Uptown LTD is a sole proprietor Corporation. **See Exhibit A.** I never had duties of hiring, firing, providing schedule or set wages for said corporation.

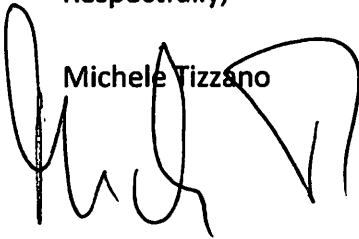
Rosso Uptown Ltd is a Corporation that does not longer exist.

The case was initially handled by Mr. Franco Tini, of Tini Law PC located at 425 Oak St. Copiague, NY 11726, with Mr. Tini we were able to arrive at a mediation with Mr. Michael A. Levy (mediator), the outcome of that mediation was unsuccessful. The plaintiffs refused what we believe was a generous offer, despite the fact that our restaurant has been impacted by the pandemic, we were willing to borrow money and reach an agreement. With time bills started to pile up, along with the fees due to Mr. Tini, to the point that we couldn't afford him anymore and asked him to withdraw from the case. Once Mr. Tini withdrew from the case we were dealing directly with Mr. Matthew J. Farnworth, to whom we made another offer, to this day an agreement has not been reached.

Covid has impacted our restaurant like so many others, our financials are still in trouble that's why your honor we communicate that it is our intention not to retain a lawyer to defend the Corporation.

Respectfully,

Michele Tizzano

A handwritten signature in black ink, appearing to read 'Michele Tizzano', written over the printed name.

A

EXHIBIT

FILING RECEIPT

ENTITY NAME: ROSSO UPTOWN, LTD.

DOCUMENT TYPE: INCORPORATION (DOM. BUSINESS)

COUNTY: NASS

FILED:01/15/2013 DURATION:PERPETUAL CASH#:130115000772 FILM #:130115000721
DOS ID:4346247

FILER:

EXIST DATE

SERVICO INC.
P.O. BOX 871

01/15/2013

ALBANY, NY 12201

ADDRESS FOR PROCESS:

C/O MASSIMO GAMMELLA
664 FLANDERS DRIVE
VALLEY STREAM, NY 11581

REGISTERED AGENT:

STOCK: 200 NPV

The corporation is required to file a Biennial Statement with the Department of State every two years pursuant to Business Corporation Law Section 408. Notification that the biennial statement is due will only be made via email. Please go to www.email.ebiennial.dos.ny.gov to provide an email address to receive an email notification when the Biennial Statement is due.

SERVICE COMPANY: SERVICO - 35

SERVICE CODE: 35 *

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|----------|--------|
| FEEs | 160.00 |
| FILING | 125.00 |
| TAX | 10.00 |
| CERT | 0.00 |
| COPIES | 0.00 |
| HANDLING | 25.00 |

| | |
|----------|--------|
| PAYMENTS | 160.00 |
| CASH | 0.00 |
| CHECK | 0.00 |
| CHARGE | 0.00 |
| DRAWDOWN | 160.00 |
| OPAL | 0.00 |
| REFUND | 0.00 |